


MEMORANDUM

To: The Honorable Mayor and Council through City Administrator 

From: Greg Winterowd, Consultant Planner

Date: September 9, 2005

Re: **Legislative Amendment 05-01 (Woodburn 2005 Comprehensive Plan Update)**

This memorandum is organized as follows:

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Purpose

This memorandum is intended to assist the City Council in its review of the many documents included in the 2005 legislative Comprehensive Plan and Woodburn Land Development Ordinance (WDO) amendment package. A glossary of commonly used terms and acronyms is found at the end of this memorandum.

What Are You Being Asked to Adopt?

The 2005 legislative package includes amendments to the following policy and regulatory documents:

- (1) *The Woodburn Comprehensive Plan – Text, Map and Urban Growth Boundary (UGB)*
- (2) *The Woodburn Land Development Ordinance (WDO) and Zoning Map*
- (3) *The Woodburn Transportation Systems Plan (TSP)*

The legislative package also includes a new 2005 document:

- (4) *The Woodburn Public Facilities Plan (PFP)*

You will also be asked to adopt by resolution the ***Urban Growth Boundary Coordination Agreement*** with Marion County. This agreement has been reviewed by City and County staff, and spells out how the City and County will coordinate the review and adoption of this and future legislative Comprehensive Plan amendments.

What Are the Next Steps?

As noted in the July 25, 2005 Staff Report, the Council is requested to end its deliberations on the 2005 legislative amendment package and direct staff to prepare an ordinance adopting this package, subject to the revisions recommended within the staff memorandum to the City Council dated June 13, 2005. The Council is also requested to adopt and forward the ***Urban Growth Boundary Coordination Agreement*** to the Marion County Board of Commissioners for its consideration and adoption.

Once the Council has adopted this or a modified legislative amendment package, staff will work with the City Attorney's office to prepare the adopting ordinance and finalize the supporting findings. The findings have two parts: Part 1 is the ***UGB Justification Report*** and Part 2 ***Periodic Review Work Program***, will demonstrate that the City has completed satisfactorily each of its 11 Periodic Review work tasks, consistent with Statewide Planning Goals 1 (Citizen Involvement) and 2 (Land Use Planning).

The Comprehensive Plan amendments will then be forwarded to the Department of Land Conservation and Development (DLCDC) for review, and to the Marion County Board of Commissioners for review and adoption. The City and County ordinances will become effective when "acknowledged" by the Land Conservation and Development Commission (LCDC). It is likely that one or more parties will object to acknowledgment of the 2005 Woodburn Comprehensive Plan and UGB amendment package. Thus, we anticipate coordinating closely with Marion County to present our joint case to the LCDC in the winter or spring of 2006.

To ensure internal consistency, the project tables and maps in the ***2005 Transportation System Plan*** (TSP) must be changed consistent with the final legislative amendment package approved by the Council. (For example, the TSP maps have not been changed to reflect the UGB changes recommended in the June 13, 2005 Staff Report.) CH2M Hill, the consultant responsible for the TSP Update, is waiting for final Council direction before undergoing the expense involved in making final changes to TSP maps and tables. The "Transportation Facilities" section of the ***Public Facilities Plan*** shows short- and long-term transportation projects necessary to serve the expanded UGB. These tables and maps, if approved by the Council, will be the basis for changes to TSP tables and maps.

An intergovernmental agreement with the Oregon Department of Transportation (ODOT) regarding the implementation and monitoring of vehicle trips within the Interchange Management Area (IMA) Overlay District is currently in the draft stages and will be presented to the Council for review and adoption in early October.

Key Support Documents

The *UGB Justification Report* (September 2005) explains how the legislative amendments meet City objectives (including the 2002 Woodburn Economic Development Strategy) – as well as Marion County Framework Plan and Statewide Planning Goal requirements. This report includes a 10-page “Executive Summary” that explains in more simple terms the rationale for expanding the UGB as proposed, and for the adoption of the Comprehensive Plan amendment package.

This document should be read with the series of maps – the Comprehensive Plan Map, Zoning Map, and Soil Classifications Maps) found in the pocket of your notebooks. Appendix B of the *Public Facilities Plan* also includes sanitary sewer, water and storm drainage facilities maps showing how land that is added to the UGB can be served efficiently.

The *Periodic Review Work Program* portion of the proposed findings was presented to the Planning Commission some 10 months ago, and will be revised by the City Attorney’s office consistent with the Council’s decision.

2005 Staff Reports

To better understand the amendment package, we recommend that the Council carefully review Community Development Director Mulder’s March 28, June 16 and July 25, 2005 staff reports. These reports provide an excellent summary of the 2005 legislative amendment package, as well as staff and consultant responses to the many issues raised during the public hearing process.

- The March 28 Staff Report summarizes the content of the Comprehensive Plan and WDO text and map amendments recommended by the Planning Commission.
- The June 16 Staff Report responds to the 113 written comments received by the City Council, including comments from state agencies and organizations such as 1000 Friends of Oregon by recommending many changes to the Woodburn Comprehensive Plan text and maps, the WDO text and maps, and the Public Facilities Plan.
- The July 25 Staff Report considers testimony received between April 20 and June 13, 2005. The report recommends that Council adopt amendments to the four planning documents and maps listed above – the 2005 amendments to the Comprehensive Plan, WDO, TSP and the new PFP.

Background Plans and Studies

These plans are supported by a series of background reports and studies. Although minor changes have been made to these studies over the last year, these changes do not have public policy implications and were made to correct misperceptions or internal inconsistencies.

What Substantive Changes Have Been Made During the Council's Deliberations?

For the most part, the Council has been asked to adopt the Planning Commission's recommended package. Substantive changes from the Planning Commission's recommendation (described in the May include the following:

- Community Development Director Mulder made a number of editorial changes to the Comprehensive Plan and WDO text and map, to maintain internal consistency and to address technical, administrative issues. These changes are described in the July 16 Staff Report.
- The Public Works Department and Mr. Winterowd have revised the draft Woodburn PFP to ensure internal consistency, explain how UGB expansion areas will be served, and to identify "short" and "long" term projects as required by the Goal 9 administrative rule and as requested by DLCD.
- Several substantive changes were made to the Woodburn Comprehensive Plan Map (and in some cases the Woodburn Zoning Map) to address concerns raised by Woodburn citizens and property owners, DLCD, the Oregon Department of Agriculture, 1000 Friends of Oregon (1000 Friends), and Friends and Neighbors of Woodburn (FAN):
 1. The City Council recently approved a zone change from RS to RM on property generally located at the southwest corner of Boones Ferry Road and Country Club Road. This change is not currently represented on the Comprehensive Plan and Zoning Maps. It is recommended that the proposed CPM for this property be changed to MDR and the zoning be changed to RM.
 2. Revise the Zoning Map in the downtown area to retain the existing zoning instead of the proposed Commercial Office (CO) zoning. The Planning Commission and staff recommend this change.
 3. Revise the boundary of the Interchange Management Area Overlay on the CPM and zoning map to better reflect the areas that are subject to the overlay. The TSP map of the IMA Overlay District must also be adjusted.
 4. Revise the Comprehensive Plan Map to change the designation on the exception area at the southeast corner of Carl Road and Highway 99E from Commercial to Medium Density Residential. This corrects a mapping error and makes the map consistent with the existing use of property as a mobile home park.
 5. Revise the Comprehensive Plan Map to remove the easterly portion of the OGA Golf Course from the proposed UGB expansion to avoid Class I soils, consistent with ORS 197.298 priorities.

6. Revise the Comprehensive Plan Map to relocate the industrial designated 56-acre UGB expansion at the northwest quadrant of I-5 and Butteville Road to a 50-acre parcel located south of the proposed South Arterial. The land west of Butteville Road has predominantly Class II soils, and the land east of Butteville Road and I-5 has predominantly Class III soils.
7. Revise Comprehensive Plan Map and zoning map to remove SWIR designation and zoning from south end of Winco Foods property.

There is nothing “new” in the amendment package that was not discussed in principle at the April 25 and June 13, 2005 Council deliberations.

Defining Terms and Acronyms

During this process, staff and consultants have introduced a number of acronyms and terms that can be confusing. Commonly used acronyms and terms include the following:

- **LCDC. Land Conservation and Development Commission** is non-paid citizen commission appointed by the Governor to establish statewide land use policy by “goal” or “administrative rule”. LCDC also “acknowledges” (i.e., approves) local Comprehensive Plan and land use regulation amendments.
- **Statewide Planning Goals. Mandatory standards adopted by LCDC** that must be addressed by cities and counties in local Comprehensive Plans and land use regulations.
- **OARs. Oregon Administrative Rules** interpret Statewide Planning Goals and statutes adopted by the LCDC. The devil is in these details.
- **197.298 Priorities. The statutory requirement** to bring in exceptions areas before farmland, and poor farmland before good farmland. An “exception” to this rule is allowed only if services must be extended through poor farmland to reach good farmland, or if needed land use has specific locational needs.
- **Periodic Review.** Every 10 years or so, **cities are required by Statute and administrative rule to update their Comprehensive Plans and land use regulations** to address changed circumstances or changes in Statewide Goals and Administrative Rules. Almost 10 years ago, Woodburn adopted a “**Periodic Review Work Program**” that included 11 work tasks to address this requirement. The 2005 legislative amendment package addresses all Periodic Review Work Program elements.
- **DLCD. Department of Land Conservation and Development** (LCDC staff). Regional Manager Geoff Crook will review the 2005 legislative amendment package and make recommendations to the LCDC.
- **ODOT. Oregon Department of Transportation.** Terry Cole is Woodburn’s regional representative. He has worked closely with City staff and consultants in revisions to the Woodburn TSP, and in the development of the ODOT-Woodburn Intergovernmental Agreement (IGA) and IMA Overlay District. (See definitions below.) ODOT provides staff for the **Oregon Transportation Commission (OTC)**.
- **UGB. Urban Growth Boundary.** The UGB “separates urban from rural land” and must be consistent with Statewide Goal 14 (Urbanization.) and ORS 197.298 Priorities.
- **Exceptions Areas. Areas outside UGBs that are not zoned for Exclusive Farm Use.** Such areas have been parcelized to the point where commercial farming is no longer reasonable. Woodburn has several adjacent exceptions areas.

- **Comprehensive Plan.** The **Woodburn Comprehensive Plan** is the local land use “constitution” for the area within the Woodburn UGB. The Comprehensive Plan controls how land will be developed or protected during the 20-year planning period. The Comprehensive Plan has text (goals and policies) and a map. Other local planning documents must be consistent with the Comprehensive Plan.
- **TSP. Woodburn Transportation Systems Plan.** The 2005 TSP amendments (a) shows street improvements to serve the existing and expanded UGB, and (b) provide the policy basis for the IMA Overlay District. The TSP must be consistent with Statewide Goal 12 (Transportation) and the Goal 12 Administrative Rule. The TSP is part of the Woodburn Comprehensive Plan.
- **PFP. Woodburn Public Facilities Plan.** This plan is essentially a compilation of water, sewer, drainage and transportation plans and was developed largely by the Woodburn Public Works Department. Among other things, the PFP explains how infrastructure will be provided to the expanded UGB. City adoption of a PFP is required by the City’s Periodic Review work program, the Goal 11 administrative rule, and state statute. The PFP also is part of the Woodburn Comprehensive Plan.
- **WDO. Woodburn Land Development Ordinance.** This is how the City implements its Comprehensive Plan, TSP and PFP. The WDO has zoning regulations and a zoning map.
- **IMA Overlay District. Interchange Management Area Overlay District** – This is part of the WDO. The “overlay district” applies to a geographic area where a “trip generation budget” is maintained and commercial plan amendments are restricted, to ensure that the public’s long-term investment in I-5 Interchange improvements is consistent with the City’s Economic Development Strategy.
- **Nodal Development.** The WDO also includes **Nodal commercial and residential zones** that apply in the Parr Road Nodal Development area, and basically call for neighborhood commercial, surrounded by higher density multi-family and small lot single-family development.
- **EDS. Economic Development Strategy** – prepared by ECONorthwest in 2001. A cornerstone of the 2005 Comprehensive Plan amendment package.
- **EOA. Economic Opportunities Analysis** – also prepared by ECONorthwest to support the EDS. The EOA is required by the Goal 9 Rule and identifies “target industrial firms” with specific siting (locational) requirements. Much of the 2005 UGB expansion is designed to meet the needs of target industries.

July 25, 2005

TO: Honorable Mayor and City Council through City Administrator

FROM: Jim Mulder, Director of Community Development

SUBJECT: **Legislative Amendment 05-01 (Woodburn 2005 Comprehensive Plan Update) – Additional Written Testimony and Staff Responses to Testimony**

RECOMMENDATION:

It is recommended that the City Council instruct staff to prepare an ordinance adopting Legislative Amendment 05-01, subject to the revisions recommended within the staff memorandum to the City Council dated June 13, 2005.

BACKGROUND:

At its meeting of March 28, 2005, the City Council received oral and written testimony regarding proposed periodic review amendments and proposed urban growth boundary expansion. The Council closed the hearing for oral testimony and established a deadline of April 20, 2005 to receive additional written testimony. At its meeting of April 25, 2004, the Council began deliberating on the proposed amendments and then continued its deliberations to allow staff to respond to the testimony received by the April 20, 2005 deadline. At its June 13, 2005 meeting, the Council continued deliberating and decided to accept additional written testimony with a June 27, 2005 deadline for receiving additional written testimony. The Council directed that additional written testimony would be accepted only if it was related to the following:

1. Changes proposed by city staff to the proposed amendments presented at the City Council public hearing on March 28, 2005. These proposed changes are contained as attachments to the June 13, 2005 memorandum to the City Council from the Director of Community Development.
2. Additional information or evidence introduced by city staff up through the City Council meeting of June 13, 2005.

Agenda Item Review:

City Administrator 

City Attorney 

Finance 

3. City staff's incorporation into its draft findings of new Goal 14 regulations recently approved by the Oregon Land Conservation and Development Commission.
4. Responses to written testimony submitted after April 20, 2005 and received by the City by June 13, 2005.

Notice of the opportunity to submit additional written testimony was mailed on June 14, 2005 to those persons that participated in the public hearing before the City Council either orally or in writing, to those persons that submitted written testimony after the public hearing, and to those persons listed on the Periodic Review Notification List. The notice was also published in the Woodburn Independent on June 22, 2005.

DISCUSSION:

Six items of additional testimony or correspondence were received after the April 20, 2005 deadline and before the June 13, 2005 City Council meeting and seven items of additional written testimony were received after the June 13, 2005 City Council meeting and before the June 27, 2005 deadline. Staff provides the following responses to these items for Council consideration:

Attachment A-1 (Daniel Orsborn): This is a petition submitted by Daniel Orsborn opposing inclusion of the School District property on East Lincoln Road in the UGB. Staff has recommended not including this property in the proposed UGB expansion.

Attachment A-2 (Serres Family): Staff has reviewed all of the comments from the Serres family. We found little new information that would help to justify inclusion of all or part of the Serres property within the 2005 Woodburn UGB.

The May 24, 2005 letter from the DLCD Regional Representative Geoff Crook simply reiterates the multitude of statutory, statewide planning goal and administrative rule requirements that must be addressed in any UGB amendment proposal. Mr. Crook's letter does not support the Serres arguments for inclusion of their land within the UGB, nor does it refute work done by Winterbrook Planning. ORS 197.298 requires that lower quality soils be brought into the UGB before higher quality soils, with limited exceptions that do not apply to the Serres property.

In conclusion, both the Serres and the Fessler properties have the capacity to meet future residential land needs. The Serres property is comprised of predominantly Class II soils, with very little Class III soil, and is relatively expensive to serve. In contrast, the Fessler property has a large, buildable area with Class III soils, and is relatively inexpensive to serve. Class II soils on the Fessler property also qualify for an exception to ORS 197.298 priorities, because urban services must be extended through the Class II soil area to reach the Class III soil area. The Fessler property also has better buffers from agricultural land (Crosby Road) than the Serres property. These are the primary reasons why we continue to recommend inclusion of the Fessler property, rather than the Serres property.

For reference purposes, ORS 197.298(3) reads as follows:

“(3) Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land estimated in subsection (1) of this section for one or more of the following reasons:

(a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;

(b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or

(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.”

Attachment A-3 (Richard Stein): This is a letter from an attorney representing the Serres family. It requests that the record be reopened. The City Attorney in his Memorandum Opinion No. 2005-01, provided to the Council before the June 13, 2005 City Council meeting, addressed procedural issues relating to legislative decisions. The City Attorney in his memorandum dated June 13, 2005 recommended the Council reopen the record to accept additional written testimony. After considering these items, the Council reopened the record for additional written testimony and set a deadline of June 27, 2005 for receiving such testimony.

Attachment A-4 (Roger Alfred): This is a letter from an attorney representing Renaissance Homes. It requests that the record be reopened. The response to this letter is the same as for Attachment A-3.

Attachment A-5 (Richard Stein): The response to this item is included in the response to Attachment A-2.

Attachment A-6 (Roger Alfred): This is a letter from an attorney representing Renaissance Homes. It requests that the record be reopened. The response to this letter is the same as for Attachment A-3.

Attachment B-1 (Roger Alfred): In a June 27, 2005 letter, Attorney Roger Alfred (representing Renaissance Homes), disagrees with staff's recommendation to remove the northeastern portion of the OGA golf course property (Study Area 2) from the proposed Urban Growth Boundary.

The staff recommendation to exclude the northeastern portion of the site was based on (1) the fact that this area is comprised of predominantly Class I and II agricultural soils, (2) this land is not needed to serve areas with higher priority for inclusion within the UGB (i.e., exceptions areas or areas with Class III soils), and (3) the inclusion of the northernmost portion of the property would require an unacceptably long cul-de-sac. The Class I and II soils that are not beneath golf links, and therefore which potentially are available for housing development, currently are productive orchards.

Mr. Alfred argues that the entire site should be included within the UGB, despite the fact that it is comprised of Class I and II agricultural soils, to meet a special need for higher-end housing in Woodburn. Alternatively, Mr. Alfred recommends that only land with predominantly Class I soils be removed, which would allow a northern tier of lots, despite the fact that the proposed northern tier of lots would require a cul-de-sac that violates current code standards. Mr. Alfred provides two maps showing the two proposed options, and opines that the new Goal 14 and the North Plains case allow for such a special needs exception to ORS 197.298 priorities.

While staff agrees with Mr. Alfred that buildable land adjacent to the golf course provides an excellent opportunity for higher end housing with open space amenities (an exception to the priorities authorized under ORS 197.298(3)(a)), staff does not believe that this "locational need" by itself is sufficient to include areas with predominantly Class I soils, when areas with Class II soils are available to meet this need.

Staff continues to support bringing in the western portion of the OGA golf course site for the following reasons.

- First, staff agrees that the golf course has provided a unique opportunity to meet higher-end housing needs in Woodburn. This conclusion is supported by testimony in the record from Renaissance Homes, which

stated that this company specializes in higher-end housing, and would not have invested in Woodburn if there had not been development area adjacent to the golf course. Staff also agrees, for reasons stated in Mr. Alfred's letter, that some land near the golf course outside the UGB is needed for higher-end housing. However, because there is a choice between Class I and II soils, staff cannot support bringing the lowest priority land (Class I agricultural soils) into the UGB to meet this need. Thus, staff recommends that the predominantly Class II land on the western portion of the OGA golf course be included within the UGB to meet the need for higher-end housing, as authorized under ORS 197.298.(3)(a).

- Second, there are urban efficiency reasons to bring the westerly portion of this property into the UGB. An emergency access is required to connect an approved subdivision within the existing UGB to Boones Ferry Road in Study Area 2. This emergency access road will cut through a relatively narrow strip of predominantly Class I orchard land sandwiched between existing golf links. This emergency access road will have adverse impacts on existing agricultural operations by providing unbuffered vehicular and pedestrian access through the center of the orchard. The City would prefer to have this emergency access road constructed to urban street standards, with curbs, gutters and sidewalks, because it serves a local street function. The only reasonable way to fund these improvements is for land on either side of the street to be developed for urban residential uses. Moreover, this land must be developed to help pay for a looped water system beneath the local street, which is needed to maintain adequate water pressure for land within the UGB and for proposed expansion areas north of the UGB. Thus, including the western portion of the OGA golf course in the UGB is justified for urban efficiency reasons under ORS 197.298(3)(c).
- Third, development of land between the emergency access road and Boones Ferry Road in Study Area 2 should be included to enable improvement of the east side of Boones Ferry Road to urban minor arterial standards. Such improvement is necessary to serve planned land uses safely and efficiently, as called for in the 2005 Woodburn Transportation System Plan.

Attachment B-2 (Brian Moore): Mr. Moore's letter provides additional support for inclusion of the Fessler property within the 2005 Woodburn UGB. Staff has reviewed this letter, and a letter from Multi-Tech Engineers, and generally agrees with the evidence and findings they contain.

Attachment B-3 (Serres Family): The response to this item is included in the response to Attachment A-2.

Attachment B-4 (Dan Blem): These comments supplement previous testimony received from Kim Ashland. These comments pertain to two properties each approximately 9 acres located on the north side of Mollala Road adjacent to the easterly UGB boundary. These properties are within the current UGB, but not in the city limits. They both have CPM designations of Commercial. These comments request that the CPM be changed to Low Density Residential. No change is proposed to the subject property, because vacant commercial land is already being constrained by the UGB expansion proposal and removing approximately 18 acres of commercial land from within the current UGB now, will make it difficult to add it back later. This is because commercial UGB expansions are much more difficult to justify as opposed to residential or industrial expansions because it is more feasible to redevelop commercial uses to address commercial land needs than industrial or residential uses. Also, these properties represent the largest vacant commercial site on the east side of the city. In addition, Low Density Residential development would not be compatible with the adjacent Maclaren facility to the north, the highway to the south, commercial land to the west, and farmland to the east.

Attachment B-5 (Richard Warnick): These comments supplement previous testimony received from Richard Warnick. These comments pertain to property located at 1365 N. Front Street that is currently designated Commercial on the Comprehensive Plan Map (CPM) and zoned CG (Commercial General). Mr. Warnick comments that he would like the CPM and zoning to remain commercial. The Planning Commission recommended changing the CPM to Medium Density Residential and zoning to RM (Medium Density Residential). This property is one of 14 neighboring properties designated to change to multi-family residential use. Of these properties the subject property is the only one that has a commercial use. Tax Assessor information indicates that the existing building on the 0.7-acre parcel was constructed in 1964 and consists of approximately 9,000 square feet. Assessor information also indicates the value of the improvements (\$132,000) is slightly more than the value of the land (\$126,000) (Parcels where the improvement value is less than the value of the land are typically considered to be under utilized and ripe for redevelopment). This property is recommended for Medium Density Residential for the following reasons:

1. The property's improvement value is not significantly higher than its

land value.

2. The property is generally located in the middle of a larger area recommended for Medium Density Residential.
3. The property's existing commercial use is not consistent with the adjacent single-family dwellings and Single Family Residential (RS) zoning to the west.
4. Leaving this property as commercial would result in a 0.7-acre commercial property that is isolated from other commercial properties (i.e., "spot zoning").
5. The property could be redeveloped with the larger vacant property to the west, which could potentially provide access from Front Street to First Street and Second Street (First and Second Streets currently are long dead-end streets). This could provide an opportunity to significantly improve an existing access deficiency in the area.

Attachment B-6 (Keith Woollen): These comments supplement previous testimony received from Keith Woollen. These comments generally concur with the draft Transportation System Plan (TSP) although they go beyond the scope of the draft TSP by showing possible future extensions of streets outside of the proposed Woodburn UGB. The scope of the draft TSP was limited to planned street improvements that can be provided within the proposed UGB.

Attachment B-7 (Mark Castor): These comments supplement previous testimony received from Martin Rohrer and other property owners north of the Woodburn Company Stores. Staff's response to these comments is the same as was provided in the June 13, 2005 memorandum to the City Council, which stated the following:

"In Exhibit B-95 and related exhibits (B-65), Mr. Rohrer makes a persuasive case to include 125 acres of land, located between Crosby Road and the Woodburn Company Stores, in Study Area 1 (Northwest). Mr. Rohrer believes that this land is best suited for mixed use industrial. He goes on to suggest that agricultural land west of Butteville Road or land in the Parr Road area east of I-5, could be removed to allow inclusion of the Crosby Road property. Mr. Rohrer notes that previous Council-appointed

committee had recommended inclusion of this area for a mixture of commercial and light industrial uses.

The 125 acres in question is designated "Agriculture" on the Marion County Comprehensive Plan map, and is zoned Exclusive Farm Use. This subarea is comprised primarily of Class II agriculture soils, with the exception of unbuildable riparian corridors which are primarily Class IV agricultural soils with narrow strips of Class III soils are the riparian edge. To access this land, one either would need to drive through the Woodburn Company Store area to reach Highway 214 and the I-5 Interchange, or access the interchange through the Butteville Road residential exceptions area. There are no large blocks of Class III soils in this area, nor can such large blocks be reached by extending services through this area.

Since the Committee finished its work in 1999, the Council has reviewed and accepted the Economic Opportunities Analysis (EOA) and the Economic Development Strategy (EDS), Winterbrook Planning has carefully analyzed alternative UGB expansion areas based on the Statewide Planning Goals and applicable Oregon statutes, and the Transportation Systems Plan has been extensively revised to provide for alternative east-west routes through Woodburn. All of this work pointed towards reservation of large blocks of land along Butteville and Parr Roads, with minimal development constraints and readily available urban services. ORS 197. 298 priorities directed employment growth towards the large blocks of Class III soils immediately south of Parr Road. In order to reach this Class III soils area, intervening Class II agricultural land along Parr and Butteville Roads must be developed. The Planning Commission has reviewed the proposed Comprehensive Plan and Development Ordinance Package, made changes, and provided its recommendation to the City Council.

The Planning Commission recommended that this area not be included in the UGB expansion area because it did not satisfy land use, transportation, and economic goals as well as other areas proposed for inclusion in the UGB. Specifically, the portion of this area between I-5 and East Senecal Creek is best suited for future commercial uses consistent with Woodburn Company Stores type development. However, the City proposal only justifies 32 acres of commercial UGB expansion. The portion of this area west of East Senecal Creek is best suited for residential uses because of compatibility considerations with the adjacent residential development in the City and East Senecal Creek. However, residential land needs are

better addressed with the City proposal. This area is not best suited for industrial use for the reasons stated above. This area should be preserved for future commercial and residential uses when sufficient justification for such expansion can be provided in the future."

Attachments:

Attachment A Written Testimony and Correspondence Received After 4/20/05 Written Testimony Deadline and Before 6/13/05 City Council Meeting:

- A-1: Daniel Orsborn, received 4/22/05
- A-2: Serres Family, received 5/5/05
- A-3: Richard Stein, received 5/23/05
- A-4: Roger Alfred, received 5/23/05
- A-5: Richard Stein, received 6/2/05
- A-6: Roger Alfred, received 6/13/05

Attachment B Written Testimony and Correspondence Received After 6/13/05 City Council Meeting and Before 6/27/05 Additional Testimony Deadline:

- B-1: Roger Alfred, received 6/27/05
- B-2: Brian Moore, received 6/27/05
- B-3: Serres Family, received 6/27/05
- B-4: Dan Blem, received 6/27/05
- B-5: Richard Warnick, received 6/27/05
- B-6: Keith Woollen, received 6/24/05
- B-7: Mark Castor, received 6/22/05

